UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
	:	
v.	:	**CRIMINAL NO. 05-114S**
	:	
ROBERT VIRUET	:	

MOTION TO CONTINUE JURY EMPANELMENT

Now comes the Defendant, Robert Viruet, and respectfully requests that the above-entitled matter be continued until April of 2006 for Jury Empanelment.

1. Defendant's Counsel has been ill and has not been able to meet with the Defendant to determine whether the Defendant desires to enter into a plea agreement. The Defendant has previously indicated that he desires to enter into a plea agreement.

2. Because of Trial Counsel's illness Counsel has not been able to adequately discuss with the Defendant the Discovery previously provided by the Government and whether the Defendant desires to enter into a plea agreement with the Government. Therefore, Trial Counsel requires additional time to meet and discuss the above-entitled matter with the Defendant;

3. The Defendant's Motion for a Continuance is Assented To by the Government (A.U.S.A. Stephanie Browne);

4. The Defendant respectfully requests that any additional time to prepare for either a trial or for purposes of entering a plea in the above-entitled matter be deemed excludable time for purposes of the Speedy Trial Act.

Respectfully submitted,
Robert Viruet,
By and through his attorney,

Matthew B. Smith, Esq. (4120)
1206 Westminster Street
Providence, Rhode Island 02909
401-272-7277
401-454-5557 {fax}

CERTIFICATION

I, the undersigned do hereby state that I mailed a true copy of the within Motion for a Continuance Stephanie Browne, A.U.S.A., United States Attorney's Office, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903 on this 1st day of March 2006.

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